

AO 91 (Rev. 08/09) Criminal Complaint

FILED

UNITED STATES DISTRICT COURT

OCT 22 2020

for the

Northern District of Oklahoma

Mark C. McCartt, Clerk
U.S. DISTRICT COURT

United States of America

v.

RICHI KEITH MCHENRY

Defendant(s)

Case No.

20-mj-379-JFJ

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 26, 2020 in the county of Tulsa in the
Northern District of Oklahoma, the defendant(s) violated:

Code Section
18 U.S.C. § 922(g)(1)

Offense Description
Felon in Possession of Firearm

This criminal complaint is based on these facts:

See Attached Affidavit

☒ Continued on the attached sheet.

Holley J Edwards
Complainant's signature

SA Holley Edwards, ATF
Printed name and title

Sworn to before me ^{by phone. JFJ} and signed in my presence.

Date: 10-22-20

City and state: Tulsa, OK

Jodi F. Jayne
Judge's signature

Jodi F. Jayne, United States Magistrate Judge
Printed name and title

AFFIDAVIT

I, Holley J. Edwards, Special Agent, Bureau of Alcohol, Tobacco, Firearms, & Explosives, being duly sworn, depose and state as follows:

I am a Special Agent with the U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), currently assigned to the Tulsa Field Office. I have been so employed since September 18, 2005.

As a result of my training and experience as a Special Agent, I am familiar with the federal firearms laws and know that it is unlawful for a person who is a previously convicted felon to possess a firearm or ammunition which has been shipped or transported in interstate or foreign commerce, as defined in Title 18 U.S.C. Section 922(g)(1). This Affidavit is for the limited purpose of establishing probable cause to support the Criminal Complaint, and it contains only a summary of the relevant facts. I have not included each and every fact known to me concerning the entities, individuals, and the events described in this Affidavit. The statements made in this Affidavit are based in part on: (a) my personal participation in this investigation; (b) information provided to me by other law enforcement officers; and (c) the training and experience of myself and other law enforcement agents and officers.

On June 26, 2020, Broken Arrow Police Officer Tamara Smith observed a silver Dodge Ram pickup traveling west at the 400 Block of West Kenosha Street in Broken Arrow, Oklahoma, within the Northern District of Oklahoma. The pickup truck bore a license plate number, AG58826, which expired in 2012. Officer Smith conducted a routine traffic stop on the vehicle at 1200 North Elm Place in Broken Arrow for the expired tag.

Officer Smith then made contact with the three occupants of the vehicle, and while doing so, she observed a backpack in the bed of the pickup. The bag was unzipped, and the officer was able to see marijuana in a container within the bag. She asked the occupants of the vehicle if any of them had a medical marijuana card, and all three denied having one. One of the occupants identified himself as Douglas Blunt, with a date of birth of November 3, 1977. He told Officer Smith that both the backpack and its contents belonged to him. Using the information he had provided, Officer Smith looked up "Douglas Blunt" and found that he was an actual person with an Oklahoma driver's license who was also a convicted felon.

As Officer Smith was retrieving the marijuana from the backpack, she also observed a magazine-loaded .22 caliber pistol in the same backpack. Officer Smith then arrested the person identifying himself as "Douglas Blunt" for felon in possession of a firearm, and she booked the firearm and 39 gross grams of marijuana into evidence.

As part of the booking process at the Broken Arrow jail, all arrestees are fingerprinted, and their pictures are taken. After the prints are taken, they are automatically shared with the Oklahoma State Bureau of Investigation (OSBI). OSBI reviewed "Douglas Blunt's"

fingerprints and determined they did not belong to Douglas Blunt, but instead belonged to the defendant, Richi McHenry.

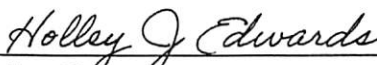
The suspect is identified as Richi Keith McHenry, B/M, DOB: XX/XX/1978, 109 W Washington St, Apt #19, Broken Arrow, Oklahoma 74012. The firearm seized from McHenry's bag was identified as: a Smith and Wesson, Model 22A-1, .22 caliber semi-automatic pistol, serial number UBP8925, loaded with seven rounds of Cascade Cartridge Inc., .22 caliber ammunition.

On August 5, 2020, a check of McHenry's criminal history revealed a previous felony conviction in Tulsa County case number CF-2013-245 for Burglary in the Second Degree, for which McHenry received a sentence of 8 years of imprisonment.

On October 21, 2020, ATF SA Ashley Stevens, an expert in the interstate nexus of firearms, completed a Nexus firearm examination regarding the aforementioned firearm seized from McHenry's bag on June 26, 2020. SA Stevens determined that the above-mentioned firearm found in McHenry's bag was not manufactured in the State of Oklahoma, and it therefore traveled in interstate commerce before reaching Oklahoma.

Based on the foregoing, I believe there is probable cause that Richi McHenry possessed the firearm and ammunition described herein while McHenry was a convicted felon, in violation of 18, United States Code, § 922(g)(1) and request that an arrest warrant be issued.

Further, Affiant sayeth not.



Holley Edwards
Senior Special Agent, ATF

by phone

Sworn to and subscribed before me this 22nd day of October 2020.



United States Magistrate Judge